IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

SECOND APPEAL NO.1110 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri P.R.Arjunwadkar for the Appellant.

CORAM : ABHAY S.OKA, J.

DATED : 12th December, 2007.

P.C.:

1. The learned Advocate for the Appellant states that as the Second Appeal arises out of an order passed on an application under section 372 of the Indian Succession Act, 1925, the Second Appeal will not lie in view of the provisions of section 388 of the said Act. He, therefore, seeks permission to withdraw this Appeal with a liberty to file appropriate proceedings for challenging the impugned Judgment and order. Accordingly the Appeal is dismissed as withdrawn with liberty as prayed. All contentions on merit are kept open.

Judge.